

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

JAMES MONROE TYSON #172927,)
)
Petitioner,) Case No. 2:05-cv-23
)
v.) HON. RICHARD ALAN ENSLEN
)
TIM LUOMA,)
)
Respondent.)
)

ORDER OF DISMISSAL

This is a habeas corpus action brought by a state prisoner pursuant to 28 U.S.C. § 2254. In his application for habeas corpus relief, Petitioner is attempting to challenge “misconduct hearing dispositions from 1983 to 2005.” Federal law requires that a separate petition must be filed for each conviction being challenged. *See* Rule 2(d), RULES GOVERNING § 2254 CASES; W.D. Mich. LCivR 5.6(a). On March 4, 2005, the Magistrate Judge issued an order directing Petitioner to file a proper petition within 30 days. Specifically, Petitioner was advised to amend his habeas corpus petition to challenge only one conviction, and to specify the procedural history of the case with regard to the challenged conviction.

Thirty days have now elapsed, and Petitioner has not complied with the court’s order. Instead, Petitioner has filed objections to the order (docket #18), an “ex parte affidavit” (docket #14), and an “Application to Claim the Sanctions Imposed Under Consent Decree Hereby Breach of Contract Thereupon Agreeing Parties” (docket #16). None of the pleadings filed by Petitioner are

responsive to the order to file an amended petition. Because Petitioner has failed to comply with the order, dismissal of this action without prejudice is appropriate.

Therefore:

IT IS ORDERED that the captioned case be and hereby is **DISMISSED** without prejudice.

IT IS FURTHER ORDERED that Petitioner's motion for sanctions (docket #16) is **DENIED**.

DATED in Kalamazoo, MI:
April 27, 2005

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
UNITED STATES DISTRICT JUDGE